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10 Counsel for Defendant SHELLS

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12 IN THE UNITED STATES DISTRICT COURT  
13  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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17 UNITED STATES OF AMERICA, ) No. CR 12-831 RS  
18 )  
19 Plaintiff, ) **STIPULATION AND [PROPOSED]**  
20 v. ) **ORDER FOR CONTINUANCE OF**  
21 ) **STATUS CONFERENCE**  
22 ) **AND EXCLUSION OF TIME**  
23 RUBEN QUINTIN SHELLS, ) Date: February 19, 2013  
24 ) Time: 2:30 p.m.  
25 Defendant. ) Court: The Honorable Richard Seeborg

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17 The parties hereby stipulate and agree as follows:

18 1. This matter is currently set for a status conference on April 2, 2013 at 2:30 p.m.;

19 2. Defense counsel received the proposed plea agreement on Friday, March 29, 2013  
20 and conveyed it to her client today;

21 3. Mr. Shells has requested additional research be done on possible motion and trial  
22 defenses. Undersigned counsel needs additional time to complete that research  
23 and meet with her client;

24 4. Mr. Shells lives in Sebastopol and is only transported by his mother to meetings  
25 with counsel. Undersigned counsel also represents to the Court that her client  
suffers from some mental health issues and she will need to meet with her client

1 several times to ensure he understands his options as well as the risks and  
2 potential benefits of filing motions and/or proceeding to trial. Accordingly, the  
3 requested period of continuance accounts for all of the aforementioned factors;  
4 5. Counsel for the government has been contacted and has no objection to the  
5 continuation;  
6 6. The defense thus requests that the status conference be continued to April 23,  
7 2013 at 2:30 p.m.  
8 7. Further, and in light of the foregoing, the parties stipulate and jointly request that  
9 time be excluded from the Speedy Trial Act calculations from Tuesday, April 2,  
10 2013 through Tuesday, April 23, 2013 on the grounds of effective preparation of  
11 counsel. The parties agree that the ends of justice served by granting such a  
12 continuance outweigh the best interests of the public and the defendant in a  
13 speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(iv)..

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15 IT IS SO STIPULATED.  
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17 Dated: April 1, 2013  
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ELIZABETH M. FALK  
ASSISTANT FEDERAL PUBLIC DEFENDER  
/s/

Dated: April 1, 2013

LAURA VARTAIN HORN  
ASSISTANT UNITED STATES ATTORNEY  
/s/

~~PROPOSED~~] ORDER

For the reasons set forth above, the hearing in the aforementioned matter is hereby CONTINUED from April 2, 2013 to April 23, 2012 at 2:30 p.m.

In addition, for the reasons stated above, the Court finds that an exclusion of time from Tuesday, April 2, 2013 through Tuesday, April 23, 2013 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. §3161 (h)(7)(A).

**IT IS SO ORDERED.**

DATED: 4/1/2013

A blue ink signature of the name "Richard Schreyer" on a white background. The signature is fluid and cursive, with the first name "Richard" on the left and the last name "Schreyer" on the right, both written in a single continuous line.

THE HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE